

SENATE BILL No. 521

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-15-2.

Synopsis: Waiting period for divorce. Lengthens the waiting period before which a final hearing in a dissolution of marriage may be conducted if there is a child of the marriage less than 17 years of age or if an objection to the dissolution is filed by either party. Retains 60 days as the waiting period before a final hearing in a dissolution of marriage upon a showing of domestic violence against a party or a party's child.

Effective: July 1, 2005.

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January 20, 2005, read first time and referred to Committee on Judiciary.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 521

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-15-2-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) Except as
3 provided in **subsections (b), (c), and (d) and** sections 13 and 14 of this
4 chapter, in an action for a dissolution of marriage under section 2 of
5 this chapter, a final hearing shall be conducted not earlier than sixty
6 (60) days after the filing of the petition.

7 (b) **A final hearing shall be conducted not earlier than one**
8 **hundred eighty (180) days after the filing of the petition if there is**
9 **a child of the marriage less than seventeen (17) years of age.**

10 (c) **A final hearing shall be conducted not earlier than one**
11 **hundred twenty (120) days after the filing of the petition if:**

12 (1) **there is no child of the marriage less than seventeen (17)**
13 **years of age; and**

14 (2) **an objection to the dissolution is filed by either party.**

15 (d) **Notwithstanding subsections (b) and (c), the final hearing**
16 **may be conducted not earlier than sixty (60) days after the filing of**
17 **the petition if either party in the petition or in a response filed to**



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1 the petition asserts that the other party has engaged in domestic
2 violence against:

3 (1) the petitioning party; or

4 (2) the petitioning party's child.

5 SECTION 2. IC 31-15-2-13 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. ~~At least sixty (60)~~
7 ~~days~~ After a petition is filed in an action for dissolution of marriage
8 under section 2 of this chapter, the court may enter a summary
9 dissolution decree without holding a final hearing under this chapter if
10 there have been filed with the court verified pleadings signed by both
11 parties containing:

12 (1) a written waiver of final hearing; and

13 (2) either:

14 (A) a statement that there are no contested issues in the action;
15 or

16 (B) a written agreement made in accordance with section 17
17 of this chapter that settles any contested issues between the
18 parties.

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